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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

Stephen Horace Tsiarkezos et al

Case No.: XY-001

Serial No. 09/903,805

Group Art Unit: 1772

Filed: July 12, 2001

Examiner: Jane J. Rhee

For: Improved Stitchbonded Fabric and Process for Making Same

Wilmington, DE 19803

October 16, 2002

REPLY UNDER 37 CFR § 1.111

Hon. Commissioner of Patents and Trademarks

Washington, DC 20231

Sir:

In response to the Examiner's Action mailed on July 19, 2002, Applicant respectfully requests reconsideration in view of the Amendment and Remarks set forth below.

Please note the accompanying Certificate of Mailing.

AMENDMENT

Please cancel claims 4.

REMARKS

The Action

Affirmation was required of the election of Claims 1-6 for prosecution in the present application. Claim 4 was rejected under 35 U.S.C. §112, first paragraph. Claims 1-6 were rejected under 35 U.S.C. §102(b) as being unpatentable over by Kourtides et al, United States Patent No. 5,038,693.

Affirmation of Restriction Election

Applicant hereby affirms the election of claims 1-6 for prosecution in the present application. The election was made, without traverse November 5, 2001, during a telephone conversation with the Examiner. Applicant reserves his right to file an application directed to the subject matter of the non-elected claim 7.

Response to the 35 U.S.C. §112 Rejection

The above-requested amendment deletes claim 4 from the present application. Accordingly, Applicant respectfully requests withdrawal of the 35 U.S.C. §112 Rejection.

Response to the 35 U.S.C. §102(b) Rejection

It has long been established that to constitute anticipation under 35 U.S.C. §102(b), each and every material element of a claim must be found in one prior art source. Applicant

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